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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,907	12/22/2000	Matthew K. Barrow	Sprint 1505 (4000-03100)	4444

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EXAMINER

VINCENT, DAVID ROBERT

ART UNIT	PAPER NUMBER
2661	

DATE MAILED: 06/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,907

Applicant(s)

BARROW, MATTHEW K.

Examiner

David R Vincent

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4</u> . | 6) <input type="checkbox"/> Other: ____ |

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Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 15, 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Golla (US 6,587,874).

Golla discloses sending upon power up or restarting (BOOTP/TFTP, col. 1; col. 6, lines 1-15) a DHCP request from a hub (18, Fig. 1; network device, Figs. 2; col. 4, lines 1-14) to a DHCP server (col. 2, lines 30-34; Fig. 2A), sending a configuration file name (col. 3, lines 28-35), a domain name of a configuration file server (col. 7, line 58-col. 8, line 14), and an IP address of a DNS (Fig. 2B, col. 3; col. 6, lines 16-30; cols. 7-8), request for IP address of configuration server (obtain IP address of the TFTP server and the LDAP server, e.g., col. 3, lines 6-53; directory or TFTP server, Fig. 2B; LDAP server, col. 2, lines 1-3; col. 6, lines 16-45; cols. 7-8), obtaining a configuration file (e.g., col. 3, lines 28-35; configuration parameters, col. 3, lines 44-67; col. 6,

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lines 16-30; cols. 7-8), including a binary code file name (not further defined, reads on user name, password, col. 3, lines 31-35; configuration parameters, col. 3, lines 44-67; or names, principals, types, attributes, configuration pieces etc., col. 4, lines 15-60; col. 5, lines 24-30; cols. 7-8), as specified in claims 1, 15, and 17. However, although Golla fails to use the terminology hub or central office, it is obvious that any location or building that houses a forwarding device, such as a router, can be referred to as a hub. Consider the way airports and airlines use the term hub to identify a location where items are received and sent out. It is also obvious that since Golla discloses using the Internet and complex networks (col. 1, Fig. 1A) that central offices are used because central offices can be used to access the Internet. For example, an end user with a hub or router can use phone lines to access the telephone company which provides a central office.

Claim Rejections - 35 USC § 103

3. Claims 2-4, 9-10, 16, 18-19 rejected under 35 U.S.C. 103(a) as being unpatentable over Golla as set forth above in view of Reichmeyer (US 6,286, 038).

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However, Golla fails to particularly call for parsing (to break into smaller parts) the configuration data.

Reichmeyer teaches parsing the data (by reading the data and comparing it to pre-stored configuration data and interacting with the server to obtain all required configuration information, cols. 7-8).

It would have been obvious to parse the data to further analyze it and determine if all needed data has been obtained. By doing so confirms that the device can be installed and operated properly.

Claim Rejections - 35 USC § 103

4. Claims 5-8, are rejected under 35 U.S.C. 103(a) as being unpatentable over Golla in view of the Meta IP/DHCP Overview article (of record).

However, Golla fails to particularly call for using a range of addresses or retrying when an attempt fails.

The Meta article teaches that a range of addresses can be used an retry attempts can be granted.

Golla discloses using TCP/IP and TCP uses acknowledgements and retry attempts. It would have obvious that when using TCP in the Internet one would want to have back up numbers to call whether it be for Internet access or for configuration files. A domain e.g., ".com" or

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".edu" refers to a plurality of servers and the Meta article teaches using a range of addresses and retry attempts.

Claim Rejections - 35 USC § 103

5. Claims 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Golla and Reichmeyer, as set forth above, in view of the Meta IP/DHCP Overview article (of record).

However, the combination of Golla and Reichmeyer fails to particularly call for using a range of addresses or retrying when an attempt fails.

The Meta article teaches that a range of addresses can be used and retry attempts can be granted.

Golla discloses using TCP/IP and TCP uses acknowledgements and retry attempts. It would be obvious that when using TCP in the Internet one would want to have back up numbers to call whether it be for Internet access or for configuration files. A domain e.g., ".com" or ".edu" refers to a plurality of servers and the Meta article teaches using a range of addresses and retry attempts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to


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David R Vincent whose telephone number is 703 305 4957.

The examiner can normally be reached on M-TH.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Douglas Olms can be reached on 703 305 4703. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


David R Vincent
Primary Examiner
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June 9, 2004